UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,227	.07/15/2003	Joel K. Young	977.056US1	1216

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EXAMINER
SIPPLE IV, EDWARD C

ART UNIT	PAPER NUMBER
2609	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/621,227	YOUNG, JOEL K.
	Examiner	Art Unit	
	Edward C. Sipple IV	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *15 July 2003*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-31* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *15 July 2003* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12/21/2004*.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The abstract of the disclosure is objected to because the length exceeds the

maximum of 150 words. Correction is required. See MPEP § 608.01(b).

Claim Objections

2.   Claim 22 objected to because of the following informalities: Applicant referred to

the video file server as the media server. As such, limitation "The media server of claim

20" should be changed to --The video file server of claim 20--.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

3.   Claims 1-6, 9-12, 14-17, 23, 24 and 28-31 are rejected under 35 U.S.C. 102(e)

as being anticipated by Belknap (Patent # 6,763,377).

For Claim 1 Belknap teaches:

A system (Column 8 Lines 12-15), comprising:

at least one video display (Col. 11 Lines 41-45; also Fig. 2 Element 62,

and Col. 10 Lines 54-58);

at least one media server (Fig. 1 Element 14), each media server to communicate with one or more of the at least one video display (Col. 10 Lines 30-34; also Fig. 2 Element 62, and Col. 10 Lines 54-58);

at least one video file server (Fig. 1 Element 18), each video file server including a number of video files (Col. 8 Lines 31-34), each video file including video content to be selectively displayed on the at least one video display (Col. 4 Line 67, and Col. 5 Lines 1-5);

a web client (Fig. 1 Element 12) to communicate with each video file server through a network (Fig. 1) to configure at least one playlist in the video file server (Fig. 32 Element 1200, also Col. 44 Lines 46-58), each playlist including at least one identifier to select one or more of the number of video files (Col. 5, Lines 6-9, also Fig. 32 Elements 1208 and 1214); each video file server being adapted to push video content (Fig. 32 Element 1240) from a selected video file in the video file server (Fig. 32 Elements 1208 and 1214) to a selected media server based on the playlist (Fig. 32 Element 1240); and each media server to translate the pushed video content into a video output signal suitable for display on the video display (Col. 1 Lines 30-34, and Col. 8 Lines 66-67 through Col. 9 Lines 1-2).

For Claim 2 as discussed in independent Claim 1, Belknap further teaches:

each media server further serves as a conversion agent to translate

application specific pushed video content into a video output signal suitable for

display (Col. 10 Lines 39-43, note Element 14 "natively understands the

encoding format of the asset" implying appropriate conversion of application

specific video to an appropriate display format).

For Claim 3 as discussed in independent Claim 1, Belknap further teaches:

the video file server further includes a virtual display driver, wherein the

virtual display driver serves as a conversion agent to encode the selected video

content before it is sent to the at least one media server for display (Fig. 1

Element 20, and Col. 8 Lines 54-57).

For Claim 4 as discussed in independent Claim 1, Belknap further teaches:

each playlist further includes logical actions related to playing the files

(Fig. 32 Element 1212, and Col. 44 Lines 46-53).

For Claim 5 as discussed in Claim 4, Belknap further teaches:

the logical actions execute in the video file server as a decision tree (Col.

44 Lines 46-57, note the multicasting commands downloaded to the media

server [such as Element 864 in Fig. 32] are fundamentally encoded in software

as a series of logical decisions, which can be interpreted as a decision tree).

Duso in U.S. Patent 5,892,915 provides an explicit example of a decision

tree representing the logical actions of a playlist. See Fig. 33 and Col. 39 Lines

56-67 through Col. 40 Lines 1-5.

For Claim 6 as discussed in Claim 5, Belknap further teaches:

the video server executes the at least one playlist based on the logical

actions, and wherein the logical actions are configured at least in part by the web

client (Col. 44 Lines 33-57).

For Claim 9 as discussed in Claim 4, Belknap further teaches:

the logical actions further include a timed duration of playing the files (Fig.

32 Element 1242; also Fig. 22 Element 814 and Col. 32 Lines 55-60; with Col. 41

Lines 20-23).

For Claim 10 as discussed in Claim 4, Belknap further teaches:

the logical actions further include a time to initiate playing the files (Fig.

32 Elements 1230 and 1236 and 1238, and Col. 42 Lines 35-38).

For Claim 11 as discussed in Claim 4, Belknap further teaches:

the logical actions further include a time to terminate playing the files (Fig.

22 Elements 814 and 866; also Fig. 24 with Col. 36 Lines 38-42; and Col. 41

Lines 20-23).

For Claim 12 as discussed in Claim 4, Belknap further teaches:

the logical actions further include a number of times to play the files (Fig.

32 Elements 1242, 860, 862, and Col. 33 Lines 11-15; also Col. 41 Lines 20-23).

For Claim 14 as discussed in independent Claim 1, Belknap further teaches:

the video file further includes audio content (Col.1 Lines 17-20, and Col. 8

Lines 30-35).

For Claim 15 as discussed in independent Claim 1, Belknap further teaches:

the video content includes any combination from the set of Power Point,

J-Peg, Video Clip, or Web formats (Col. 8 Lines 30-35, note that web format

includes html which is text based; also Col. 10 Lines 30-35).

For Claim 16 Belknap teaches:

A video file server (Fig. 1 Element 18), comprising:

memory to store video files (Fig.1 Element 22, also Col. 8 Lines 30-35) and at

least one playlist (Col. 44 Lines 45-54), each video file including video content to

be selectively displayed on at least one video display (Col. 4 Line 67, and Col. 5

Lines 1-5), each playlist including a list of identifiers for video files (Col. 5

Lines 6-9, also Fig. 32 Elements 1208 and 1214), a file server location of the

video files (Col. 5 Lines 6-9; also Fig. 32 Elements 1202, 1204, 1208 and

1214; and Col. 44 Lines 45-54), and logical actions related to playing the

selected video content (Fig. 32 Element 1200, and Col. 44 Lines 45-54);

and

a processor executing application specific software to send the selected

video content according to the playlist to at least one media server for display

(Col. 8 Lines 54-65; and Fig. 32 Element 1200, and Col. 44 Lines 45-54).

For Claim 17 as discussed in independent Claim 16, Belknap further teaches:

a virtual display driver, wherein the virtual display driver functions as a

conversion agent to encode the selected video content before it is sent to the at

least one media server for display (Fig. 1 Element 20, and Col. 8 Lines 54-57).

For Claim 23 Belknap teaches:

A method of distributing video information, comprising:

from a first network location (Fig. 1 Element 12), configuring a playlist of video

files (Fig. 32, also Col. 5 Lines 20-26 and Col. 44 Lines 38-57), the video files

being stored in at least one second network location (Fig. 1 Elements 18 and 22;

and Col. 8 Lines 30-35);

from a second location, executing a playlist (Col. 44 Lines 49-57), where

executing includes pushing video content associated with a video file (Col. 8

Lines 54-58) to a third network location (Fig. 1 Element 14) according to the

playlist (Col. 44 Lines 38-57); and

from the third network location, translating the video content into a video

output signal suitable for display (Col. 8 Lines 66-67 through Col. 9 Lines 1-2,

and Col. 10 Lines 30-35).

For Claim 24 as discussed in independent Claim 23, Belknap further teaches:

executing the playlist further includes executing logical actions associated

with initiation of display and termination of display of the video files (Fig. 32

Element 1242 and Col. 44 Lines 38-57; also Fig. 24, and Col. 36 Lines 29-40,

and Col. 41 Lines 20-23).

For Claim 28 as discussed in independent Claim 23, Belknap further teaches:

the first network location includes a web client (Fig. 1 Elements 12 and

16, also Col. 5 Lines 10-34).

For Claim 29 as discussed in independent Claim 23, Belknap further teaches:

the second network location includes a video file server (Fig. 1 Element

18, also Col. 8 Lines 26-34).

For Claim 30 as discussed in independent Claim 23, Belknap further teaches:

the third location includes a media server (Fig. 1 Element 14, and Col. 8

Lines 66-67 through Col. 9 Lines 1-2, and Col. 10 Lines 30-43).

For Claim 31 as discussed in independent Claim 23, Belknap further teaches:

the first network location includes a computer (Fig. 1 Element 12, also

Col. 10 Lines 43-67)

and configuring a playlist (Fig. 32 Element 1200) includes:

downloading an existing playlist from the video file server at the second

network location to the computer (Col. 5 Lines 35-67 and Col. 6 Lines 1-10);

editing the playlist (Col. 6 Lines 4-10); and

uploading the edited playlist from the computer to the video file server

(Col. 44 Lines 38-57).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 7, 8,18 and 25-27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Belknap (Patent # 6,763,377) in view of Duso (U.S. Patent

5,892,915).

For Claim 7 as discussed in Claim 6, Belknap does not expressly teach:

the logical actions are configured at least in part in real time by a user

using the web client.

Duso teaches:

the logical actions are configured at least in part in real time by a user

using the web client (Col. 2 Lines 47-67 and Col. 3 Lines 1-11).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time of the invention to incorporate the real time playlist configuration feature taught

by Duso in the video distribution system taught by Belknap.

The motivation would have been to enable a video network playlist editor to

perform emergency operations as taught by Duso in Column 3 Lines 5-12.

For Claim 8 as discussed in Claim 6, Belknap does not expressly teach:

logical actions further include inputs external to the video file server.

Duso teaches:

logical actions further include inputs external to the video file server (Col.

37 Lines 45-50, 57-60, and Col. 38 Lines 10-20).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time of the invention to incorporate the external playlist logic actions taught by Duso

(such as "Restart") within the playlist of the video file server taught by

Belknap.

The motivation would have been to enable network viewers to manipulate the

flow of the playlist.

For Claim 18 as discussed in independent Claim 16, Belknap teaches

the processor executes the at least one playlist based on the logical

actions (Col. 10 Lines 43-62, with Fig. 32 Element 1200 and Col. 44 Lines 46-54)

Belknap does not teach:

the logical actions depend in part on inputs external to the video file server

Duso teaches:

the logical actions depend in part on inputs external to the video file server

(Duso Col. 37 Lines 45-50, 57-60, and Col. 38 Lines 10-20).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to incorporate the externally dependent playlist logic actions taught by Duso within the execution parameters of the playlist running on the video file server taught by Belknap.

The motivation would have been to enable network viewers to exercise VCR type controls over the video content being streamed to the display.

For Claim 25 as discussed in Claim 24, Belknap teaches:

executing logic actions (Fig. 32 Element 1200 and Col. 44 Lines 46-54)

Belknap does not teach:

executing logic actions includes the second location receiving external inputs that are mapped into application specific commands

Duso teaches:

executing logic actions includes the second location receiving external inputs

that are mapped into application specific commands (Col. 37 Lines 45-50, 57-60,

and Col. 38 Lines 10-20).

Therefore, it would have been obvious to one having ordinary skill in the

art at the time of the invention to incorporate the mapping of external inputs to

application specific commands taught by Duso within the video network system

taught by Belknap.

The motivation would have been to enable network viewers to exercise

control (such as "fast forward" taught by Duso Col. 38 Lines 12-15) over the

streamed video content.

For Claim 26 as discussed in Claim 25, Belknap in view of Duso further teaches:

executing logic actions includes the second location receiving logic

actions from the first location (Belknap Fig. 32 Element 1200 and Col. 44 Lines

46-54).

For Claim 27 as discussed in Claim 26, Belknap in view of Duso further teaches:

the application specific commands include any combination from the set

of Play, Restart, Pause, Stop, Rewind, Fast Forward, Next File, Next Slide,

Previous Slide, Mouse Click, Hyperlink and Go To New Playlist. (Duso Col. 37

Lines 45-50, 57-60, and Col. 38 Lines 10-20).

5.   Claims 13,19 and 20-22 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Belknap (Patent # 6,763,377) in view of Duso (U.S. Patent

5,892,915), further in view of Mason (U.S. Patent 6,587,849).

For Claim 13 as discussed in Claim 8, Belknap in view of Duso teaches:

logical actions which include inputs that are external to the video file

server (Duso Col. 37 Lines 45-50, 57-60, and Col. 38 Lines 10-20).

Belknap in view of Duso does not teach:

the inputs external to the video file server are mapped into application

specific commands according to the format of the video file.

Mason teaches:

mapping application specific commands according to the format of the

video file (Col. 2 Lines 23-25 and Col. 3 Lines 10-14).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time of the invention to incorporate the command to file type mapping feature taught

by Mason with the video system taught by Belknap in view of Duso.

The motivation would have been to allow only relevant control functions for a

specific video file type.

For Claim 19 as discussed in Claim 18, Belknap in view of Duso teaches:

the inputs external to the video file server (Duso Col. 37 Lines 45-50, 57-

60, and Col. 38 Lines 10-20)

Belknap in view of Duso does not teach:

the inputs external to the video file server are mapped into application

specific commands depending on a format of the video file

Mason teaches:

mapping application specific commands depending on a format of the

video file (Mason Col. 2 Lines 23-25 and Col. 3 Lines 10-14).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time of the invention to incorporate the command to file type mapping feature taught

by Mason with the video system taught by Belknap in view of Duso.

The motivation would have been to allow only relevant control functions for a

specific video file type.

For Claim 20 as discussed in Claim 19, Belknap in view of Duso further in view of

Mason further teaches:

the application specific commands include any combination from the set

of Play, Restart, Pause, Stop, Rewind, Fast Forward, Next File, Next Slide,

Previous Slide, Mouse Click, Hyperlink and Go To New Playlist (Duso Col. 37

Lines 45-50, 57-60, and Col. 38 Lines 10-20).

For Claim 21 as discussed in Claim 20, Belknap in view of Duso further in view of

Mason teaches:

the inputs external to the video file server include messages received from

the network (Duso Col. 37 Lines 18-25).

For Claim 22 as discussed in Claim 20, Belknap in view of Duso further in view of

Mason teaches:

the inputs external to the video file server (Duso Col. 37 Lines 45-50, 57-

60, and Col. 38 Lines 10-20) include a prompt (Belknap Col. 2 Lines 40-44).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Edward C. Sipple IV whose telephone number is 571

270 3414. The examiner can normally be reached on M-F 7:30-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hai Tran can be reached at 571 272 7305. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ES
09/12/2007

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PRIMARY EXAMINER